

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TROVER GROUP, INC.
PLAINTIFF

vs.

**VERINT SYSTEMS, INC.,
THE HOME DEPOT, INC., and
TARGET CORPORATION,
DEFENDANTS**

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NO. 2:06cv532

PLAINTIFF'S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Trover Group, Inc. files this, its Original Complaint for infringement of U.S. Patent Nos. 5,751,345 (attached hereto as "Exhibit A") and 5,751,346 (attached hereto as "Exhibit B"), against Defendants Verint Systems, Inc., The Home Depot, Inc., and Target Corporation under 35 U.S.C. § 271, and in support thereof would respectfully show the Court the following:

PARTIES

1. Plaintiff Trover Group, Inc. ("Trover") is a Texas corporation with its principal office located at 10750 Forest Lane, Dallas, Texas.

2. Defendant Verint Systems, Inc. ("Verint") is a Delaware corporation with its principal office located at 330 South Service Road, Melville, New York 11747. Verint is authorized to do business in Texas, does business in this District, and may be served with process through its registered agent for service of process, CT Corp. Systems, 350 N. St. Paul St., Dallas, Texas 75201.

3. Defendant The Home Depot, Inc. ("Home Depot") is a Delaware corporation with its principal office located at 2455 Paces Ferry Road, N.W., Atlanta, Georgia 30339. Home Depot is authorized to do business in Texas, does business in this District, and may be served with process through its registered agent for service of process, Nancy Bunker, 2455 Paces Ferry Road, Atlanta, Georgia 30339.

4. Defendant Target Corporation ("Target") is a Minnesota corporation with its principal office located at 1000 Nicollete Mall, Minneapolis, Minnesota 55403. Target is authorized to do business in Texas, does business in this District, and may be served with process through its registered agent for service of process, CT Corp. Systems, 350 N. St. Paul St., Dallas, Texas 75201.

JURISDICTION AND VENUE

5. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code. This Court has exclusive subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §1338(a).

6. This Court has personal jurisdiction over each of the Defendants. Each of the Defendants conducts business within the State of Texas. Each Defendant, directly or through intermediaries (including distributors, retailers, and others) ships, distributes, offers for sale, sells, and advertises its products in the United States, the State of Texas, and the Eastern District of Texas. Defendant Verint has purposefully and voluntarily placed infringing products in the stream of commerce with the expectation that its products will be purchased by end users in the Eastern District of Texas. Defendants Home Depot and Target have purposefully and voluntarily used infringing products in the Eastern District of Texas. Each Defendant has infringed the patents-in-suit within the State of Texas and this District.

7. Venue is proper in the Eastern District of Texas under 28 U.S.C. §§ 1391(b) and 1400.

PATENT INFRINGEMENT

8. United States Patent No. 5,751,345 ("the '345 Patent"), entitled "IMAGE RETENTION AND INFORMATION SECURITY SYSTEM," was duly and legally issued by the United States Patent and Trademark Office on May 12, 1998, after full and fair examination. The '345 Patent relates generally to video security systems, and in particular to such systems which store and retrieve images by use of computer equipment and digital storage. Plaintiff Trover is the assignee of all rights, title and interest in and to the '345 Patent and possesses all rights of recovery under the '345 Patent.

9. United States Patent No. 5,751,346 ("the '346 Patent"), entitled "IMAGE RETENTION AND INFORMATION SECURITY SYSTEM" was duly and legally issued by the United States Patent and Trademark Office on May 12, 1998, after full and fair examination. The '346 Patent relates generally to video security systems, and in particular to such systems which store and retrieve images by use of computer equipment and digital storage. Plaintiff Trover is the assignee of all rights, title and interest in and to the '346 Patent and possesses all rights of recovery under the '346 Patent.

10. Each Defendant is infringing the '345 and '346 Patents by making, using, selling, and/or offering for sale products and services in the United States, including in the Eastern District of Texas, and by undertaking processes, embodying the patented inventions and designs without authority. Each Defendant is actively, intentionally, and/or knowingly inducing or contributing to infringement of the '345 and '346 Patents by others.

11. Each Defendant's infringement of the '345 and '346 Patents is willful and deliberate.

12. Prior to the filing of this action, Plaintiff Trover has complied with 35 U.S.C. § 287(a) by marking or having had marked all products which Plaintiff Trover has authorized to be made under the '345 and '346 Patents.

JURY DEMAND

13. Plaintiff Trover Group Inc. demands a trial by jury.

PRAYER FOR RELIEF

Plaintiff Trover respectfully requests the following relief:

- A. that the Court issue a permanent injunction against Defendants Verint, Home Depot, and Target enjoining each Defendant from making, using, selling, or offering for sale in the United States any products, and from undertaking any processes, embodying the patented inventions or designs claimed in the '345 and '346 Patents;
- B. that the Court award damages to Plaintiff Trover to which it is entitled;
- C. that the Court treble the damages for willful infringement;
- D. that the Court award interest on such damages;
- E. that the Court find this to be an exceptional case and award Plaintiff Trover its costs and attorneys' fees incurred in this action; and,
- F. that the Court award such other and further relief, at law or in equity, as the Court deems just and proper.

Respectfully submitted,

By: 

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